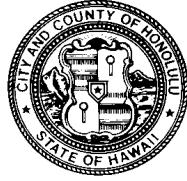


**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**

925 DILLINGHAM BOULEVARD, SUITE 190 • HONOLULU, HAWAII 96817
PHONE: (808) 768-9242 • FAX: (808) 768-7768 • EMAIL: ethics@honolulu.gov • INTERNET: www.honolulu.gov/ethics

KIRK CALDWELL
MAYOR



JAN K. YAMANE
EXECUTIVE DIRECTOR
AND LEGAL COUNSEL

AGENDA

Date: December 16, 2020

Time: 11:30 a.m.

Webex: Meeting Link: <https://cchnl.webex.com/meet/ethics>

Meeting Number (Access Code): 268 451 616; or join by phone 1-408-418-9388

[Note: No Meeting Password.]

This meeting will be held via Webex Video Conferencing only. Members of the public are invited to join this meeting by downloading the Cisco Webex Meeting app using a phone or tablet with the above log-in information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

**MEMBERS OF THE PUBLIC ARE ENCOURAGED TO SPEAK
AND/OR SUBMIT WRITTEN TESTIMONY ON ANY AGENDA ITEM**

ORDER OF BUSINESS

- I. Call to Order, Public Notice, Quorum
- II. New Business
 - A. Chair's Report
 - 1. Announcements, Introductions, Correspondence, and Additional Distribution
 - a. Commissioner Michael Lilly – Term Expires December 31, 2020
 - b. Commissioner Peter Adler – Resolution 20-274, CD1 – Reappointment of Dr. Peter Adler to Serve on the Ethics

Commission of the City and County of Honolulu (Term Expiring
December 31, 2025)

c. Staffing

i. Investigator III

ii. Contract Hires – Senior Clerk (2)

2. For Action: Approval of Open Session Minutes of October 21, 2020
3. For Action: Nomination, Vote for Chair, Vice Chair – Calendar Year 2021

B. Executive Director and Legal Counsel's Report

1. Staff Work Reports Summary
2. Statistics
 - a. Website Sessions – October, November 2020
 - b. Financial Disclosure Filings – Update
 - c. Lobbyist Registrations, Annual Reports – Update
3. Budget
 - a. FY2021 Operating Budget – Update
 - b. FY2022 Operating Budget Request – Update
4. Education and Outreach
 - a. Ethics Training Program (FY19–FY20) – Update
 - b. E-Newsletter, Twitter, Website – Update
5. Legislation and Election 2020
 - a. 2020 General Election Ballot Questions – Update
 - i. Question 3 (PASSED) – “Shall the Revised City Charter be amended to allow the Honolulu Ethics Commission to control its own budget after it has been enacted?” (Resolution 19-331)
 - ii. Question 4 (PASSED) – “Shall the Revised City Charter be amended to require ethics commission staff to be appointed based on merit principles, but exempt them from the civil service position classification plan, and to have the salaries of all ethics commission staff set by the ethics commission, subject to specified limitations?” (Resolution 20-83, FD1)

6. Education Opportunities – Commissioners and Staff
 - a. Council on Governmental Ethics Laws (COGEL) 42nd Annual Conference (December 13–16, 2020), Virtual Meeting (Hosted by City of Atlanta) – Report
 - i. COGEL Steering Committee Appointment
7. For Discussion: Personal Use of Social Media by City Employees
 - a. For Discussion: Peer Jurisdiction Social Media Ethics Policies
 - b. Personal Use of Social Media by City Employees Policy (City and County of Honolulu, Department of Human Resources, June 17, 2019)

III. Executive Session Determination

- A. For Discussion and Action: Whether the Ethics Commission Should Exercise Its Discretion to Consider Cases on Hold Pending Resolution of CR No. 17-00582 JMS-RLP, United States v. Kealoha, et al.
- B. For Discussion and Action: Whether the Ethics Commission Should Exercise Its Discretion to Consider Formal Advisory Opinion No. 2020-3, Honolulu Ethics Commission’s Implied Authority to Inform the Public About Charter Amendments Placed on a General Election Ballot

IV. Executive Session (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a)(2), Hawaii Revised Statutes (HRS), to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; or Section 92-5(a)(4), HRS, to consult with the Commission’s attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities and liabilities.)

- A. For Decision: Cases on Hold Pending Resolution of CR No. 17-00582 JMS-RLP, United States v. Kealoha, et al.
- B. For Decision and Adoption: Formal Advisory Opinion No. 2020-3, Honolulu Ethics Commission’s Implied Authority to Inform the Public About Charter Amendments Placed on a General Election Ballot

V. Strategic Planning

- A. Permitted Interaction Group (Chair Marks, Vice-Chair Monk, Commissioner Suemori) – Proposed Gift Legislation – Update

VI. Adjournment

- A. Next Meeting: February 17, 2021

SPEAKER REGISTRATION

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number, and agenda item via email at ethics@honolulu.gov; or by calling 768-9242.

On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given the opportunity to speak on an item following oral testimonies of registered speakers.

Each speaker is limited to a three-minute presentation on each item.

WRITTEN TESTIMONY

Prior to the Day of the Meeting: Testimony may be emailed to ethics@honolulu.gov or faxed 768-7768.

On the Day of the Meeting: Submit 10 copies of written testimony to Commission staff.

If you need an auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, please call the Honolulu Ethics Commission at (808) 768-9242 between 7:45 a.m. and 4:30 p.m. or send an email to ethics@honolulu.gov at least four (4) business days before the scheduled meeting. It may not be possible to fulfill requests received after this date.

All handouts will be posted at www.honolulu.gov/ethics/meetings.html